

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LATANYA SCOTT,

Plaintiff,

v.

Case No. 23-cv-12564
Honorable Linda V. Parker

M&M LUXURY AUTOMOTIVE, LLC,

Defendant.

ORDER DENYING AS MOOT DEFENDANT'S
MOTION TO DISMISS [ECF NO. 4]

On October 11, 2023, Plaintiff initiated this lawsuit against Defendant asserting sex discrimination/harassment (Count I) and retaliation (Count II) in violation of federal and Michigan law. (ECF No. 1.) On November 3, Defendant filed a motion to dismiss Plaintiff's sex discrimination/harassment claim pursuant to Federal Rule of Civil Procedure 12(b)(6), arguing that Plaintiff failed to plead sufficient facts to support the claim. (ECF No. 4.) Plaintiff filed an Amended Complaint in response on November 21. (ECF No. 7.)

As a result of the amendment, the Complaint to which the motion to dismiss is directed has been superseded and the motion is moot. *See Glass v. The Kellogg Co.*, 252 F.R.D. 367, 368 (W.D. Mich. 2008) (citing cases).

Accordingly,

IT IS ORDERED that the motion to dismiss (ECF No. 4) is **DENIED AS MOOT**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: November 22, 2023